

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15049 of 2019

Arising Out of P.S. Case No.-9 Year-2019 Thana- BAKHARI District- Begusarai

BABITA DEVI, female, aged about 35 years, Wife of Muski Paswan,
Resident of Village-Khakhrua, ward no.12, P.S.-Bakhari, District-Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr.Pancha Nand Pandit, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 12-03-2019 Heard the learned counsel for the petitioner and
learned counsel appearing on behalf of the State.

Petitioner is languishing in judicial custody since
13.01.2019 in connection with Bakhari P.S.Case No.09 of 2019
for the offence alleged under Sections 30(a) and 30(d) of the
Bihar Prohibition and Excise Act.

The prosecution case as lodged by the police
personnel is that on secret information that the petitioner is
manufacturing illicit liquor along with her husband in the house,
a raid was conducted and utensils used for manufacturing liquor
and ten litres of Mahua wine was recovered. Accordingly, a
seizure list was prepared.

It has been submitted by the learned counsel for the
petitioner that she is innocent, bears no criminal antecedent and



has been falsely implicated in the aforesaid case. He submits that she has been sufficiently punished and is languishing in judicial custody since two months and her husband co-accused has already granted the privilege of bail in Cr.Misc.No.15300 of 2019 today itself.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the nature of allegations as well as the period of custody, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Bakhari P.S.Case No.09 of 2019 to the satisfaction of learned Additional Sessions Judge-II, Begusarai-cum-Special Judge, Bihar Prohibition and Excise Act, 2016, Begusarai subject to the conditions that one of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his/her relationship with the petitioner.

(Nilu Agrawal, J)

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